

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. Contract ID Code Firm-Fixed-Price		Page 1 Of 6	
2. Amendment/Modification No. 01		3. Effective Date 2004JUL15		4. Requisition/Purchase Req No. SEE SCHEDULE		5. Project No. (If applicable)	
6. Issued By TACOM-ROCK ISLAND AMSTA-AQ-ARCC BOB ROBERTS (309)782-4997 ROCK ISLAND IL 61299-7630 EMAIL: ROBERTSC@RIA.ARMY.MIL		Code W52H09		7. Administered By (If other than Item 6) DCMA MARYLAND 217 EAST REDWOOD ST SUITE 1800 BALTIMORE MD 21202-5299		Code S2101A	
				SCD C PAS NONE ADP PT HQ0338			
8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) AMERICAN TECHNOLOGY CORPORATION 2330 N HOWARD ST BALTIMORE, MD. 21218-5007 TYPE BUSINESS: Small Disadvantaged Business Performing in U.S.				<input type="checkbox"/>		9A. Amendment Of Solicitation No.	
						9B. Dated (See Item 11)	
				<input checked="" type="checkbox"/>		10A. Modification Of Contract/Order No.	
						DAAE20-02-D-0091/0008	
Code 1DB58		Facility Code		10B. Dated (See Item 13) 2004JUL01			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendments: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. Accounting And Appropriation Data (If required) ACRN: AA NET INCREASE: \$1,466,088.55							
13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS							
KIND MOD CODE: G It Modifies The Contract/Order No. As Described In Item 14.							
<input type="checkbox"/>		A. This Change Order is Issued Pursuant To: The Contract/Order No. In Item 10A.				The Changes Set Forth In Item 14 Are Made In	
<input type="checkbox"/>		B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).					
<input checked="" type="checkbox"/>		C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of: FAR 43.103(a)(3)					
<input type="checkbox"/>		D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return _____ copies to the Issuing Office.							
14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)							
SEE SECOND PAGE FOR DESCRIPTION							
Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. Name And Title Of Signer (Type or print)				16A. Name And Title Of Contracting Officer (Type or print) JOYCE L KLEIN KLEINJ@RIA.ARMY.MIL (309)782-5051			
15B. Contractor/Offeror _____ (Signature of person authorized to sign)		15C. Date Signed		16B. United States Of America By _____ /SIGNED/ (Signature of Contracting Officer)		16C. Date Signed 2004JUL15	
NSN 7540-01-152-8070 PREVIOUS EDITIONS UNUSABLE				30-105-02		STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243	

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN DAAE20-02-D-0091/0008 MOD/AMD 01	Page 2 of 6
Name of Offeror or Contractor: AMERICAN TECHNOLOGY CORPORATION		

SECTION A - SUPPLEMENTAL INFORMATION

1. This modification 01 to Delivery Order 0008, issued under the terms and conditions of the long term indefinite quantity ordering agreement Contract DAAE20-02-D-0091, incorporates the letter contract (Attached), dated 15 July 2004, for the following acquisition:
- a. Add 50,000 each, Universal Second Skin, Small NSN: 4240-01-413-1540, as CLIN 0001AA.
- b. Add 56,929 each, Universal Second Skin, Medium/Large(M/L) NSN: 4240-01-413-1543 as CLIN 0002AB. After this addition the total DO 0008 USS M/L quantity will be 100,000 on CLIN 0002. The unit price for the 43,071 M/L USS originally awarded on DO 0008 is hereby adjusted to \$14.50 each, the unit price for the 75,000-100,000 quantity ordering range.
2. This modification is issued within Ordering Period 3, i.e., calendar year 2004. First Article Test is not applicable since continuous process inspection is used.
- a. The Ordering Period 3 USS Small unit price is \$13.20 each for the quantity ordering range 35,000-50,000.
- b. The ordering period 3 USS M/L unit price is \$14.50 for the quantity ordering range 75,000-100,000. Note the unit price of the 43,017 USS M/L previously awarded on DO 0008 CLIN 0002AA will be adjusted from \$14.95 to \$14.50.
3. Contract line items for supplies are modified as follows:
- | CLIN | DESCRIPTION | QUANTITY | UNIT PRICE | AMOUNT |
|----------------|--|----------|------------|----------------|
| FROM: 0002AA | Facepiece, Breathing Equipment, M/L Universal Second Skin 4240-01-413-1543 | 43,071 | \$14.95 | (\$643,911.45) |
| TO: 0002AA | Facepiece, Breathing Equipment, M/L Universal Second Skin 4240-01-413-1543 | 43,071 | \$14.50 | \$624,529.50 |
| CHANGE AMOUNT: | | | | (\$ 19,381.95) |
4. Contract line items for supplies are added as follows:
- | CLIN | DESCRIPTION | QUANTITY | UNIT PRICE | AMOUNT |
|-----------|--|----------|------------|----------------|
| 0001AA | Facepiece, Breathing Equipment, SMALL Universal Second Skin 4240-01-413-1540 | 50,000 | \$13.20 | \$660,000.00 |
| 0002AA | Facepiece, Breathing Equipment, M/L Universal Second Skin 4240-01-413-1543 | 56,929 | \$14.50 | \$825,470.50 |
| ADDITION: | | | | \$1,485,470.50 |
5. The net amount of this modification is \$1,466,088.55. The total amount of DO 0008 is \$2,110,000.00.
6. All other terms and conditions remain unchanged.

Name of Offeror or Contractor: AMERICAN TECHNOLOGY CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS				
0001	NSN: 4240-01-413-1540 FSCM: 81361 PART NR: 5-1-3321-10 SECURITY CLASS: Unclassified				
0001AA	<u>PRODUCTION QUANTITY WITHOUT FIRST ARTICLE/QV</u> NOUN: UNIVERSAL SECOND SKINS PRON: S64ZJ635PC PRON AMD: 01 ACRN: AA AMS CD: 070011ZJ2 <u>Packaging and Marking</u> <u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin <u>Deliveries or Performance</u> DOC SUPPL <u>REL CD MILSTRIP ADDR SIG CD MARK FOR TP CD</u> 001 W58HZ14096A511 W22PVJ J 2 <u>DEL REL CD QUANTITY DEL DATE</u> 001 4,000 30-OCT-2004 002 4,000 30-NOV-2004 003 4,000 30-DEC-2004 004 6,000 30-JAN-2005 005 6,000 28-FEB-2005 006 6,000 30-MAR-2005 007 6,000 30-APR-2005 008 6,000 30-MAY-2005 009 8,000 30-JUN-2005 FOB POINT: Destination SHIP TO: <u>PARCEL POST ADDRESS</u> (W22PVJ) XU GENERAL SUPPLY STORAGE POINT BLUE GRASS ARMY DEPOT 2091 KINGSTON HWY RICHMOND KY 40475-5000 <u>CONTRACT/DELIVERY ORDER NUMBER</u> DAAE20-02-D-0091/0008	50000	EA	\$ 13.20000	\$ 660,000.00

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN DAAE20-02-D-0091/0008 MOD/AMD 01	Page 4 of 6
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Name of Offeror or Contractor: AMERICAN TECHNOLOGY CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002AA	<p><u>PRODUCTION QUANTITY</u></p> <p>43071</p> <p>NOUN: UNIVERSAL SECOND SKINS PRON: S64ZJ636PC PRON AMD: 02 ACRN: AA AMS CD: 070011ZJZJ2</p> <p><u>Packaging and Marking</u></p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p><u>Deliveries or Performance</u> DOC SUPPL REL CD MILSTRIP ADDR SIG CD MARK FOR TP CD 001 W58HZ14096A512 W22PVJ J 2 DEL REL CD QUANTITY DEL DATE 001 6,000 30-OCT-2004 002 6,000 30-NOV-2004 003 6,000 30-DEC-2004 004 6,000 30-JAN-2005 005 6,000 28-FEB-2005 006 6,000 30-MAR-2005 007 6,000 30-APR-2005 008 1,071 30-MAY-2005</p> <p>FOB POINT: Destination</p> <p>SHIP TO: <u>FREIGHT ADDRESS</u> (W22PVJ) XU GENERAL SUPPLY STORAGE POINT BLUE GRASS ARMY DEPOT 2091 KINGSTON HWY RICHMOND KY 40475-5000</p> <p><u>CONTRACT/DELIVERY ORDER NUMBER</u> DAAE20-02-D-0091/0008</p>	43071	EA	\$ 14.50000	\$ 624,529.50
0002AB	<p><u>PRODUCTION QUANTITY WITHOUT FIRST ARTICLE/QV</u></p> <p>56929</p> <p>NOUN: UNIVERSAL SECOND SKIN PRON: S64ZJ657PC PRON AMD: 03 ACRN: AA AMS CD: 070011ZJZJ2</p> <p><u>Packaging and Marking</u></p>	56929	EA	\$ 14.50000	\$ 825,470.50

Name of Offeror or Contractor: AMERICAN TECHNOLOGY CORPORATION

SECTION G - CONTRACT ADMINISTRATION DATA

LINE	PRON/ AMS CD/ ITEM MIPR	ACRN	OBLG STAT/ JOB ORD NO		PRIOR AMOUNT	INCREASE/DECREASE AMOUNT		CUMULATIVE AMOUNT
0001AA	S64ZJ635PC 070011ZJ2	AA	2	\$	0.00	\$	660,000.00	\$ 660,000.00
0002AA	S64ZJ636PC 070011ZJZJ2	AA	2	\$	643,911.45	\$	-19,381.95	\$ 624,529.50
0002AB	S64ZJ657PC 070011ZJZJ2	AA	2	\$	0.00	\$	825,470.50	\$ 825,470.50
					NET CHANGE	\$	1,466,088.55	

SERVICE NAME	NET CHANGE BY ACRN	ACCOUNTING CLASSIFICATION	ACCOUNTING STATION	INCREASE/DECREASE AMOUNT
Army	AA	97 X4930AC61 6D	26FB S19130	W13G07 \$ 1,466,088.55
				NET CHANGE \$ 1,466,088.55

	PRIOR AMOUNT OF AWARD	INCREASE/DECREASE AMOUNT	CUMULATIVE OBLIG AMT
NET CHANGE FOR AWARD:	\$ 643,911.45	\$ 1,466,088.55	\$ 2,110,000.00